

### **REMARKS**

The Office Action dated January 11, 2006 has been received and reviewed. Claims 34 and 38 have been cancelled, and claims 35 and 39 have been amended. The pending claims are claims 1-27, 29-33, 35-37, and 39. Reconsideration and withdrawal of the pending rejections are respectfully requested.

#### **Claim Amendments**

Claim 35 has been amended to substantially include all of the elements of original dependent claim 38.

Claim 39 has been amended to recite that the multilayer optical film is shaped into a non-planar structure. Support for this amendment can be found, e.g., in Figures 10A-C and 11A-C of the present application.

No new matter was added.

#### **The 35 U.S.C. § 112, Second Paragraph Rejections**

Claims 34 and 39 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention.

Applicants traverse this rejection. However, to further move this case towards issuance, Applicants have cancelled claim 34, thereby rendering this rejection moot. Applicants have also amended claim 39 as described above. Applicants submit that amended claim 39 meets the requirements of 35 U.S.C. § 112, second paragraph for at least the following reasons.

Claim 39 recites that the multilayer optical film is shaped into a non-planar structure. Support for this claim can be found, e.g., in FIGS. 10A-C and 11A-C, where the multilayer optical film 80 is formed into various non-planar shapes.

For at least the above reasons, Applicants submit that claim 39 meets the requirements of 35 U.S.C. § 112, second paragraph. Reconsideration and withdrawal of this rejection are, therefore, respectfully requested.

**The 35 U.S.C. § 102(b) Rejections**

Claims 1-2, 4-6, 8-9, 18-23, 25-27, 29-32, and 35-37 were rejected under 35 U.S.C. § 102(b) as being anticipated by Kazunobu (FR 2662896).

Applicants traverse this rejection and submit that claims 1-2, 4-6, 8-9, 18-23, 25-27, 29-32, and 35-37 are not anticipated by Kazunobu because such reference does not teach each and every element of any of the rejected claims. For a claim to be anticipated under 35 U.S.C. § 102(b), each and every element of the claim must be found in a single prior art reference. *See* M.P.E.P. § 2131.

For example, independent claims 1, 18, and 26 each recite a plurality of LED dies. In contrast to claims 1, 18, and 26, Kazunobu describes a substrate for mounting electrical components that includes a central unit 16 electrically connected to a driving circuit 17 of a liquid crystal visualization device 23. As can be seen in Figures 3-5 of Kazunobu, the central unit 16 and the driving circuit 17 face the rear plate 15. Contrary to the Office Action's allegations, central unit 16 and driving circuit 17 are not LED dies.

For example, Kazunobu states that the disclosed invention relates to a substrate for mounting electrical components such as high-level integration circuits and is used for example in integrated circuit boards. One skilled in the art would not consider LED dies to be high-level integration circuits. While the description of figure 5 of Kazunobu states that the central unit 16 and the driving circuit 17 are for electroluminescent diodes, there is no other indication in the specification that unit 16 and circuit 17 are for electroluminescent diodes. Nor are there any electroluminescent diodes indicated in the figures of Kazunobu. Further, if unit 16 and circuit 17 are LED dies as is alleged, light emitting from these dies would be directed toward plastic barrier 14 and rear plate 15 and not toward a viewer of the liquid crystal visualization device 23. Finally, as is illustrated in Figure 4 of Kazunobu, unit 16 and circuit 17 appear to require multiple conductors for operation. It is unlikely that LED dies would require multiple conductors as is illustrated. Therefore, one of skill in the art would not consider unit 16 and circuit 17 to be LED dies.

Further, independent claim 35 recites a flexible circuit that includes a flexible layer of electrically insulative material that includes an at least partially reflective multilayer optical film. In

contrast to claim 35, Kazunobu does not teach an electrically insulative material that includes an at least partially reflective multilayer optical film. As such, claim 35 is novel over Kazunobu.

Dependent claims 2, 4-6, 8-9, 19-23, 25, 27, 29-32, and 36-37, which depend from one of independent claims 1, 18, 26, and 35, are patentable over Kazunobu for the same reasons as presented above for independent claims 1, 18, 26, and 35. In addition, dependent claims 2, 4-6, 8-9, 19-23, 25, 27, 29-32, and 36-37 each recite additional elements that further support patentability when combined with independent claims 1, 18, 26, and 35.

For at least the above reasons, Applicants submit that claims 1-2, 4-6, 8-9, 18-23, 25-27, 29-32, and 35-37 are novel over Kazunobu. Reconsideration and withdrawal of this rejection are, therefore, respectfully requested.

### **The 35 U.S.C. § 103(a) Rejections**

Claims 3 and 7 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Kazunobu in view of Sugimoto et al. (U.S. Patent No. 6,874,910). Applicants traverse this rejection and submit that claims 3 and 7 are patentable over the cited references because such references do not teach or suggest all of the elements of claims 3 and 7.

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art references must teach or suggest all the claim limitations. See M.P.E.P. § 2143.

As described above in regard to the 35 U.S.C. § 102(b) rejection of independent claim 1 (from which claims 3 and 7 depend), Kazunobu does not teach all of the elements of claim 1. In addition, claims 3 and 7 recite additional elements that further support patentability when combined with claim 1. The addition of Sugimoto et al. does nothing to cure this deficiency already present in Kazunobu.

For at least the above reasons, Applicants submit that claims 3 and 7 are patentable over the cited references. Reconsideration and withdrawal of this rejection are, therefore, respectfully requested.

Claim 24 was also rejected under 35 U.S.C. § 103(a) as being unpatentable over Kazunobu in view of Sugimoto et al. Applicants traverse this rejection and submit that claim 24 is patentable over the cited references because such references do not teach or suggest all of the elements of claim 24. As stated above regarding the 35 U.S.C. 102(b) rejection of independent claim 18 (from which claim 24 depends), Kazunobu does not teach all of the elements of claim 18. In addition, claim 24 recites additional elements that further support patentability when combined with claim 18. The addition of Sugimoto et al. does nothing to cure the deficiencies already present in Kazunobu.

For at least the above reasons, Applicants submit that claim 24 is patentable over the cited references. Reconsideration and withdrawal of this rejection are, therefore, respectfully requested.

Claims 10-17 and 33 were also rejected under 35 U.S.C. § 103(a) as being unpatentable over Kazunobu. Applicants traverse this rejection and submit that claims 10-17 and 33 are patentable over Kazunobu because such reference does not teach or suggest all of the elements of claims 10-17 and 33. Claims 10-17 depend from independent claim 1, and claim 33 depends from independent claim 26. As stated above regarding the 35 U.S.C. § 102(b) rejection of claims 1 and 26, Kazunobu does not teach all of the elements of claims 1 and 26. Further, claims 10-17 and 33 each recite additional elements that further support patentability when combined with either independent claim 1 or 26.

For at least the above reasons, Applicants submit that claim 10-17 and 33 are patentable over Kazunobu. Reconsideration and withdrawal of this rejection are, therefore, respectfully requested.

Claim 38 was also rejected under 35 U.S.C. § 103(a) as being unpatentable over Kazunobu in view of Whitehead (U.S. Patent No. 5,661,839). As stated above, substantially all of the elements of original dependent claim 38 have been incorporated into independent claim 35. Applicants traverse this rejection and submit that amended claim 35 is patentable over the cited references because there is no suggestion or motivation, either in the references themselves or

in the knowledge generally available to one of ordinary skill in the art, to modify the teachings of Kazunobu with those of Whitehead to produce the invention as claimed in claim 35.

The Office Action alleges that it would have been obvious to one of ordinary skill in the art at the time of the invention to form the insulating material of Kazunobu with a partially reflective multilayer optical film as described in Whitehead in order to obtain efficient, uniform emission of diffuse light. Applicants traverse this motivation. As stated above regarding the 35 U.S.C. § 102(b) rejection of amended claim 35, central unit 16 and driving circuit 17 of Kazunobu are not LED dies. Even if unit 16 and circuit 17 are LED dies as is alleged, light emitting from these dies would be directed toward plastic barrier 14 and rear plate 15 and not toward a viewer of the liquid crystal visualization device 23. Nor would one of skill in the art be motivated to use a partially reflective multilayer optical film for the insulating material 41 of Kazunobu to obtain efficient, uniform emission of diffuse light as is alleged because such light would be reflected back toward plastic barrier 14 and rear plate 15 because of the orientation of the alleged LEDs 16 and 17 and insulating material 41. In other words, a reflective insulating material 41 would only direct light into the back of the unit taught by Kazunobu where it would in turn be absorbed and/or reflected by the rear plate 15 back toward the insulating material 41. The light thus reflected by the insulating material 41 would be directed toward a view of the disclosed unit. Because there is no motivation to combine the teachings of Kazunobu with those of Whitehead, amended claim 35 is not *prima facie* obvious in view of such references.

For at least the above reasons, Applicants submit that claim 35 is patentable over the cited references. Reconsideration and withdrawal of this rejection are, therefore, respectfully requested.

Summary

Applicants respectfully submit that the pending claims are in condition for allowance of the reasons given above. Reconsideration and withdrawal of all rejections are respectfully requested. The Examiner is invited to contact Applicants' Representatives, at the below-listed telephone number, if it is believed that prosecution of this application may be assisted thereby.

Respectfully submitted,

April 10, 2006  
Date

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# hp LaserJet 9050mfp series



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423	2006-Apr-11 01:31 PM	Send	*65712731761	2:13	13	Success

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Document Number

Patent  
Case No. 59933UG502

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: SCHULTZ, FORBIC  
Application No.: 10727230 Group Art Unit: 2818  
Continuation No.:  
Filed: December 2, 2003 Examiner: Hayuk, Andy  
Title: BLENDED TON ASSEMBLY

### AMENDMENT AND RESPONSE UNDER 37 C.F.R. § 1.111

Mail Stop Amendment  
Counselors for Patents  
P.O. Box 1450  
Alexandria, VA 22303-1450

<p>OPTIONAL FORM FOR MAILING OR TRANSMISSION BY FIRST CLASS MAIL</p> <p><input type="checkbox"/> I hereby certify that this correspondence is original.</p> <p><input type="checkbox"/> I deposited with the United States Postal Service on the date shown below with sufficient postage a flat that will be an envelope addressed to: Counselors for Patents, P.O. Box 1450, Alexandria, VA 22303-1450</p> <p><input checked="" type="checkbox"/> As authorized by first-class or the first-class letter to the United States Patent and Trademark Office on 5/11/2006</p> <p>APR 11 2006</p> <p>_____ Date</p> <p>_____ Signed By: <i>Michael J. Gault</i></p>	
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Dear Sir:

This is in response to the outstanding Office Action, dated January 17, 2006, in the above-identified application.

This Amendment is believed to be timely submitted. It is believed that no fee is due; however, in the event a fee is required, please charge the fee to Deposit Account No. 13-5722.